

UNITED STATES DISTRICT COURT

For The District of Delaware

Monty C Pepper
Plaintiff

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Civ no

05-84 (JTF)Warden Thomas CarrollOfficer Bambi ThomasOfficer Nute (DOE)Officer Ballanger DOE

Defendants

FILED

JUL - 6 2005

SD scanned

U.S. DISTRICT COURT
DISTRICT OF DELAWAREMotion For Temporary Restraining OrderWith out Notice and for Preliminary Injunction

Plaintiff moves The Court upon The Verified complaint and The attached affidavits of Monty Pepper and The attached memorandum of points and authorities as Follows

- 1 To issue a Temporary restraining Order and
- 2 To issue a preliminary injunction

Both Restraining

- 1 Officer Bambi Thomas
- 2 Officer Nute Joe Doe
- 3 Delaware Correctional Center

From -

From

- 1 Contact from Officer Bambi Thomas
- 2 Contact from officer Nute (Doe)
- 3 Contact from officer Ballanger (Doe)
- 4 Tampering of Food by Said Persons or others
- 5 Physical Threats Abusive Language and Language That endangers my Life To Stop and investigated
- 6 Request Investigation and Effective Remedy Rendered From D.C.C
- 7 Allow TV's To Access Religious Services and Programs and other Rights
- 8 Stop The refusal of cleaning material Spong- mops and Sanitary needs. Toilet Paper, Razors
- 9 Require D.C.C. To Prevent The imminent Attack from Said Persons and others
- 10 Investigate The Classification system which does not screen inmates for compatibility causing The violence issues in D.C.C as "Arnald describes" and prevents me from entering The Compound

From

11 Stop Disiplinary Action agensT
me unTill an investagation on
said Persons is done and ~~AT~~ AS To 1017654)
ACTION

12 Request The Court To appovint
or Request indivisuals from a Fedral
Source To investigate

U.S. District Court for
The District of Delaware

I declare under penalty of perjury
That The foregoing is True and correct

- 1 ON 2/23/05 I filed Sute in US District
 Court Case name ~~Pepper~~ Pepper V Carroll et al case no# 1:05-CV-
 -84 Pursuant To A Civil Rights ACT 42 USC 1983 - -
 Complaint
- 2 I That clame / Complaint I have stated Facts of
 Abusive Language Restrictions on Legal Calls
 Restrictions on Religious Services and Loss of Privileges
 As Inmates on compound as well as The MHU SHU Death
 Row enjoy in Protective Custody These Rights are
 Refused
- 3 AS of may 30 2005 my Request for a Legal call was denied
- 4 ON or around Apral / may I Requested Legal Assisance from
 a court Appointed counsel
- 5 ON Feb 2005 There were Threats of Putting a razor in
 my cell By officer Thomas and officer Sneed And Physical
 Threats from Sneed he has been Taken of The Tier
- 6 ON 4 29 2005 officer Thomas in front of Counsler Sims
 and Wac Doc co and hurd by all inmates on The Tier
 officer Thomas vells out quote "I you weren't a child Molester
 you'd sign off" (I am not a child mulster) This was done
 because I aske Counsler Sims for razors That Thomas
 had Refused everyone Last Shave was Tuesday it was now
 Fryday I greavanced ^{4/29/05} 13704 apparently Recived 6/9/2005 on
 6/29/05 it was hurd it was upheld but States only
 quote 'Staff should not be verbally abusing inmates no! other
 action was Taken. This statement By Thomas was
 was worse Than Calling me a snitch which Puts my
 well being as well as my Life in danger
- 7 on 5/11/05 Thomas wile I was in The Shower after
 Calling me a Stinking Bitch becose I wanted no To Take a
 Shower becouse my Towl was in The dirty Clothes
 She Thomas Said I was Takeing one if I had To do

Off with my clothes Thomas wrights me up on a lie by stating that I said some one should smack that Bitch. which I did not AT a hearing with the write up I got 20 days after the incident yet Rule 300-222 says it should had been written that day during the hearing 6/16/05 officer Savage refused my witness my affidavits and a statement from me when I said IT was Retaliation he and Thomas Lauffed and asked how do you spell That Then found me Guilty and gave me 15 day in the hole with LT Respolo said That would never happen I Appealed but do not expect a fair or just outcome These Actions are Retaliation and it extends to high officials

8 On or around June 18-+05 Thomas Nute Ballanger Doe officers start tampering with my lunch by placing only crust on my Tray Taking Cheese putting something in my salad squashing roles no juice in cup Food dirty The Last incident Nute Thomas gave a stall hotdog role for chicken Pattie everyone Ham burger roles There 'may' have been spit in my salad, officer Thomas Tried To get The role back Before she could officer Porter and counselor came on the tear I asked off Porter To Look he Refused I told him what had happend counselor did Look said he would do something Thomas said something Pryer To them Leaving The Ticer -- officer Porter wrote my cell # down he could tell I was mad and I wrote a grievance on the incidents

This Food Tampering has happen about 10 Times I greivanced each one with no action I've wrote Letters To Warden Carroll Asst Warden Internal Affairs greivances LT Respolo and counsler Sims . with NO ACTION AT ALL!

Dr Rennie officer Phillips Dr Gatlen nurses And other have seen The bread crust Squashed food what I can save others Liked LT Porter Counsler and Dr Rennie and Dr Gatlen were There while my Tray was still in The cell Dr Gatlen Told me To document it not no action Taken Officer Phillips got LT Watkins Told him Two Times no action Told LT Seacord no action These co officers have seen and have or heard Thomas and nute abuse while off LT Porter was on The Tier co nute says Pepper I'll make a deal I'll get you a Little Boy for a cellie and Call it even Thomas and nute and co Boston Laffed

I have not eaten Lunch for approx 3 weeks now If They are on duty I fear my food

The Lack of action from DCC Oficals has embolden Them This month I have mornine reck wich They are in charge

On one incedent of Food Tampering officer Nute aloud with officer Ballanxer I assume Tryine To find The crusts They had Left Trashed my cell Porins out my sugar my Legal work wich consisted of

4) 9x12 Envelopes of Legal work from Superior Court as well as district Court and dumped them all over my desk and cabinet Emptying out Debbie boxes Trashing bed Throwing Clothes sheets Ect on the floor "my floor has not been moped since Last month may we are Refused mop and cleaning material. Officer Phillips Officer Watkins witnessed my cell condition after This event Officer Phillips has been The only one To Let me mop my cell she informed officer Watkins, she can get in Trouble for giving us a mop

Even Saturday July 2 05 Thomas Refused To give us Toilet Paper some inmates had to use socks we finally got it To day Sunday July 3 05 we only get 1 roll a week if you run out you must beg for a wrap "a small amount around a hand" Some 4-12 shift will give you some 8-4 will not 8-4 shift will not do anything

This coming week I am in fear Thomas and note can do anything from Trashing my cell To wrighting me up on bogus clames or Phisically attacking me witch I expect because of The inaction of There Seperors I will not be able To eat Lunch I know and fear for my Life This is Just some of The abusive Acts That are done others I deccribed in other Affidavids To The

Court I Pryer Requests

I Am in imminent danger and The Request For help from DEC officials which I have copies for go unhurd Officer Thomas has intercepted Letters Be for Witnessed By officer Pike and Paul I don't know if his honorable court has recived other Request and motions

AS I say I AM I "imminent" danger from Physical attack" as well as Attack on my status as a inmate by bogus write-ups The Stress from This worry has affected my sleep severely and Eating is ended as far as Lunch goes

They can attack me with no worry from Superiors Just as The Food Tampering continues

I Am now Requesting To sign off witch also puts my Life in danger Because of The inaficant classification system has shown by The amount of attacks one on guard by a Lifer Attacks on inmates don't make The news There was a stabbing Thursday


I ask The Court To act in my behalf
for my safty as well as The well beins of
others who fear To but are afraid To
say anyThing in fear of Retalation who
will if They know They are safe and guards
will if They know There Job is safe

I only got The information To do This
motion Fryday and don't know if it is correct
due To Restrictions To The Law Library and inatquit
assistance

I have no way To Inform The defendants

I Monty Pepper do declare under The
Penalty of Perjury That The forgoing
is True and correct

This date of July 3 2005


Monty Pepper
00156920

SMY
JJF

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